

REMARKS

Claims 1, 6 -10, 13-15, 18-20, 23-27, 30-32, 36-39, and 41-47 are pending. Claims 2-5, 11, 26, 16, 17, 21, 22, 28, 29, 33-35 and 40 have been cancelled without prejudice or disclaimer.

I. New Claims

New claims 41-47 are directed to previously unclaimed subject matter. These claims are supported throughout the originally filed application, for example, in the paragraph bridging pages 8 and 9, the second full paragraph of page 9, first full paragraph of page 12, and the originally filed claims. No new matter has been entered.

II. Election/Restriction

Claims 2-5, 11, 26, 16, 17, 21, 22, 28, 29, 33-35 and 40 have been cancelled without prejudice or disclaimer as allegedly being directed to a non-elected invention. However, Applicants expressly reserve the right to file one or more divisional applications reciting the subject matter of the now-cancelled claims.

Additionally, upon allowance of the claims directed to the elected invention, i.e., the composition, Applicants respectfully request rejoinder of the pending claims directed to the nonelected invention, i.e., the process of using the composition, as required by MPEP § 821.04.

Applicant thanks the Examiner for withdrawing the election of species requirement.

III. 35 USC § 102 and § 103

Claims 26, 27, 30 and 31 stand rejected under 35 USC § 102(a) as allegedly being anticipated by each of CA 2354966 and WO 02/25013. The Office Action asserts that each of these references expressly teaches every feature recited by the rejected claims.

Claims 28 and 29 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over CA '966 or WO '013 in view of Nigam (U.S. Patent No. 6,171,444) in further view of Propst, Jr. (U.S. Patent No. 5,858,173). The Office Actions assert that it would have been

obvious to one of ordinary skill in the art to combine the teachings of the four references to reach the invention of claims 28 and 29.

In light of the amendments to claim 26 (from which each of claims 27-31 depend), reconsideration is respectfully requested.

Specifically, claim 26 has been amended to recite the features of (now cancelled), but not anticipated claims 28 and 29. Thus, the rejections under 35 USC § 102 are now moot.

With respect to the rejections under 35 USC § 103, Applicants respectfully present that, even in combination, the cited references do not teach a composition having (1) ASA and/or AKD; (2) an acrylic acid containing material; and (3) one of the crosslinking agents recited by claim 26. Thus, Applicants respectfully request reconsideration of the obviousness rejections.

IV. Conclusion

In view of the above, it is respectfully submitted that all objections and rejections are overcome. Thus, a Notice of Allowance is respectfully requested. If any additional fee is necessary to make this paper timely and/or complete, it may be deducted from the deposit account of the undersigned, No.19-4375.

Respectfully submitted,



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